

STATE OF ILLINOIS
92ND GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

13th Legislative Day

March 8, 2001

PRESIDENT PHILIP:

The regular Session of the 92nd General Assembly will please come to order. Will the Members please be in their desks? Will our guests in the galleries please rise? Our prayer today will be given by Reverend Jeff Chitwood, Southside Christian Church, Springfield, Illinois. Reverend Chitwood.

THE REVEREND JEFF CHITWOOD:

(Prayer by the Reverend Jeff Chitwood)

PRESIDENT PHILIP:

Please remain standing for the Pledge of Allegiance. Senator Radogno.

SENATOR RADOGNO:

(Pledge of Allegiance, led by Senator Radogno)

PRESIDENT PHILIP:

Reading of the Journal.

SECRETARY HARRY:

Senate Journals of Tuesday, March 6th, and Wednesday, March 7th, 2001.

PRESIDENT PHILIP:

Senator Myers.

SENATOR MYERS:

Mr. President, I move that the Journals just read by the Secretary be approved, unless some Senator has additions or corrections to offer.

PRESIDENT PHILIP:

Senator Myers moves to approve the Journal just read. There being no objection, so ordered. Committee Reports.

SECRETARY HARRY:

Senator Peterson, Chair of the Committee on Revenue, reports Senate Bills 60, 209, 450, 638, 853, 854, 855, 856, 1116, 1176, 1177, 1216, 1217, 1218, 1219, 1232, 1278 and 1279 Do Pass; and Senate Bills 15, 640 and 697 Do Pass, as Amended.

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Senator Tom Walsh, Chair of the Committee on State Government Operations, reports Senate Bills 76, 502, 830, 835, 836, 837, 877, 883, 1047 and 1102 Do Pass.

Senator Klemm, Chair of the Committee on Executive, reports Senate Bills 458, 493, 606, 610, 647, 720, 735, 778, 825 and 850 Do Pass; Senate Bills 188, 193, 456 and 550 Do Pass, as Amended; and Senate Joint Resolution 2 Be Adopted.

PRESIDENT PHILIP:

Resolutions.

SECRETARY HARRY:

Senate Resolution 71, offered by Senator Petka and all Members.

Senate Resolution 72, by Senator Myers and all Members, as is Senate Resolution 73.

They're death resolutions, Mr. President.

PRESIDENT PHILIP:

Consent Calendar. Messages from the House.

SECRETARY HARRY:

A Message from the House by Mr. Rossi, Clerk.

Mr. President - I am directed to inform the Senate that the House of Representatives has passed bills of the following titles, in the passage of which I am instructed to ask the concurrence of the Senate, to wit:

House Bills 382, 846, 901, 1001, 1034 and 1970.

All passed the House, March 7th, 2001.

PRESIDENT PHILIP:

If I could have your attention for a minute. The Senate... Committee Reports.

SECRETARY HARRY:

Senator Weaver, Chair of the Committee on Rules, reports the following Legislative Measure assigned: Referred to the Committee on Appropriations - Senate Amendment 1 to Senate Bill 758.

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PRESIDENT PHILIP:

Senator Rauschenberger, for what purpose do you rise?

SENATOR RAUSCHENBERGER:

For the purposes of an announcement.

PRESIDENT PHILIP:

Make your announcement.

SENATOR RAUSCHENBERGER:

The Senate Appropriations Committee will be meeting this morning to consider a Floor amendment that's been filed that contains a narrowed set of issues for the supplemental that's been requested by the Governor and is under consideration in the House. The Committee will meet at 10:30 or at whatever point both the Chamber and the committee that's using Room 212 are in recess. So approximately 10:30 for the Appropriation Committee, in Room 212, this morning.

PRESIDENT PHILIP:

Thank you, Senator Rauschenberger. The Senate will stand in recess until the call of the Chair. Oh! I'm sorry. Senator Syverson, for what purpose do you rise?

SENATOR SYVERSON:

Thank you, Mr. President. I'm sorry. It's not quite as important as Senator Rauschenberger's announcement, but today does happen to be Senator Dudycz's fifty-first birthday. Senator Dudycz, happy birthday. When's your birthday? It's next week. It's next week. We're not going to be here, so happy birthday early, Senator Dudycz.

PRESIDENT PHILIP:

Senator DeLeo, for what purpose do you rise?

SENATOR DeLEO:

Purpose of an announcement, Mr. President.

PRESIDENT PHILIP:

Make -- make your announcement.

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SENATOR DeLEO:

The Senate Executive Appointments Committee recessed and we'll go back in immediately upon adjournment.

PRESIDENT PHILIP:

Thank you, Senator DeLeo. Senator Demuzio, for what purpose do you rise?

SENATOR DEMUZIO:

Mr. President, I'd like the record to reflect that Senator Jones is absent today because of personal family business back in Chicago.

PRESIDENT PHILIP:

The record will so indicate. All right. Now, the Senate will stand in recess - we're not adjourning - in recess until the call of the Chair. The intent of the Chair is to proceed to the Order of 2nd and 3rd Readings after the committee adjourns this morning. We stand in recess.

(SENATE STANDS IN RECESS/SENATE RECONVENES)

PRESIDENT PHILIP:

The Senate will please come to order. Committee Reports.

SECRETARY HARRY:

Senator Burzynski, Chair of the Committee on Licensed Activities, reports Senate Bills 263, 447, 527, 528, 534, 643, 857 and 1089, all Do Pass.

Senator Lauzen, Chair of the Committee on Commerce and Industry, reports Senate Bills 788, 794, 795, 796, 858 and 923 Do Pass.

Senator O'Malley, Chair of the Committee on Financial Institutions, reports Senate Bills 575, 862 and 1104 Do Pass; and Senate Bills 48, 119 and 888 Do Pass, as Amended.

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And Senator Rauschenberger, Chair of the Committee on Appropriations, reports Senate Amendment 1 to Senate Bill 758 Be Adopted.

PRESIDENT PHILIP:

If we could have the Members proceed to the Floor, we're going to do Senate Bills on 2nd Reading. It's important you get up here. And 3rds. So, the top of page 2, Senate Bill 20. Senator Parker. Senator Parker. Take it out of the record. Senate Bill 39. Senator Silverstein. Senate Bill 39. Senator Silverstein. Take it out of the record. Senate Bill 62. Senator Obama. Senator Obama. Take it out of the record. Senate Bill 64. Senator Silverstein. Take it out of the record. Senate Bill 113. Senator Parker. Take it out of the record. Senate Bill 116. Senator Radogno. I'm sorry, 115. Take it out of the record. Senate Bill 116. Senator Radogno. Take it out of the record. Senate Bill 117. Senator Parker. Senator Parker. Take it out of the record. Senate Bill 130. Senator Madigan. Senator R. Madigan. Take it out of the record. Take it out of the record. Senate Bill 131. Take it out of the record. Senate Bill 132. Take it out of the record. Senate Bill 153. Senator Watson. Senator Watson. Take it out of the record. Senate Bill 155. Senator Rauschenberger. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 155.

(Secretary reads title of bill)

2nd Reading of the bill. The Committee on Public Health and Welfare adopted two amendments.

PRESIDENT PHILIP:

Have there been any Floor amendments that have been approved for consideration?

SECRETARY HARRY:

No further amendments reported, Mr. President.

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PRESIDENT PHILIP:

3rd Reading. Senator Demuzio, for what purpose do you rise?

SENATOR DEMUZIO:

Thank you very much, Mr. President. I have a -- if I might, on a matter of personal privilege, sir.

PRESIDENT PHILIP:

State your point.

SENATOR DEMUZIO:

Right above you, in the President's Gallery, is a group from Our Saviour School in Jacksonville. They are both performing -- have performed already this morning in the Hall of Flags and will be performing at -- at noon downstairs in the Rotunda, and it is a group from Jacksonville, Illinois, Our Saviour School. Peggy Goodwin is their principal, and Alice and Jim Hill are also here with us. They're the -- the bell ringers. And I would ask that they would please stand and be recognized by the Senate. Right above you, sir.

PRESIDENT PHILIP:

Will they please rise and be recognized by the Senate? Senate Bill 180. Senator Roskam. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 180.

(Secretary reads title of bill)

2nd Reading of the bill. The Committee on Education adopted one amendment.

PRESIDENT PHILIP:

Have there been any Floor amendments been approved for consideration?

SECRETARY HARRY:

No further amendments reported.

PRESIDENT PHILIP:

3rd Reading. House {sic} (Senate) Bill 184. Senator

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Luechtefeld. Senator Luechtefeld. Take it out of the record. Senate Bill 194. Senator del Valle. Senator del Valle. Take it out of the record. Senate Bill 195. Senator Hawkinson. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 195.

(Secretary reads title of bill)

2nd Reading of the bill. The Committee on Judiciary adopted one amendment.

PRESIDENT PHILIP:

Have there been any Floor amendments been approved for consideration?

SECRETARY HARRY:

No further amendments reported.

PRESIDENT PHILIP:

3rd Reading. Senate Bill 251. Senator Dillard. Senator Dillard. Take it out of the record. Senate Bill 252. Senator Lauzen. Take it out of the record. Senate Bill 264. Senator Mahar. Take it out of the record. Senate Bill 265. Senator Jacobs. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 265.

(Secretary reads title of bill)

2nd Reading of the bill. No committee or Floor amendments.

PRESIDENT PHILIP:

3rd Reading. Senate Bill 298. Senator Watson. Senator Watson. Take it out of the record. Senate Bill 330. Senator Sieben. Senator Sieben. Take it out of the record. Senate Bill 333. Senator Tom Walsh. Senator Tom Walsh. Take it out of the record. Senate Bill 364. Senator Noland. Read the bill, Mr. Secretary.

SECRETARY HARRY:

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Senate Bill 364.

(Secretary reads title of bill)

2nd Reading of the bill. No committee or Floor amendments.

PRESIDENT PHILIP:

3rd Reading. Senate Bill 382. Senator Syverson. Senator Syverson. Take it out of the record. ...Bill 394. Senator Klemm. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 394.

(Secretary reads title of bill)

2nd Reading of the bill. The Committee on Environment and Energy adopted one amendment.

PRESIDENT PHILIP:

Have there been any Floor amendments have been approved for consideration?

SECRETARY HARRY:

No further amendments reported.

PRESIDENT PHILIP:

3rd Reading. Senate Bill 430. Senator O'Malley. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 430.

(Secretary reads title of bill)

2nd Reading of the bill. No committee or Floor amendments.

PRESIDENT PHILIP:

3rd Reading. Senate Bill 433. Senator Roskam. Senator Roskam. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 433.

(Secretary reads title of bill)

2nd Reading of the bill. No committee or Floor amendments.

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3rd Reading. Senate Bill 441. Senator Parker. Senator Parker. Take -- take it out of the record. Senate Bill 448. Senator -- take it out of the record. Senate Bill 463. Senator Robert Madigan. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 463.

(Secretary reads title of bill)

2nd Reading of the bill. No committee or Floor amendments.

PRESIDENT PHILIP:

3rd Reading. Senate Bill 478 {sic} (487). Senator Larry Walsh. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 478 {sic}.

(Secretary reads title of bill)

487. 2nd Reading of the bill. No committee or Floor amendments.

PRESIDENT PHILIP:

3rd Reading. Senator -- Senate Bill 504. Senator Cullerton. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 504.

(Secretary reads title of bill)

2nd Reading of the bill. No committee or Floor amendments.

PRESIDENT PHILIP:

3rd Reading. Senate Bill 547. Senator O'Daniel. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 547.

(Secretary reads title of bill)

2nd Reading of the bill. No committee or Floor amendments.

PRESIDENT PHILIP:

3rd Reading. Senate Bill 574. Senator O'Malley. Read the bill, Mr. Secretary.

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SECRETARY HARRY:

Senate Bill 574.

(Secretary reads title of bill)

2nd Reading of the bill. No committee or Floor amendments.

PRESIDENT PHILIP:

3rd Reading. Senate Bill 602. Senator Halvorson. Take it out of the record. Senate Bill 661. Senator Roskam. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 661.

(Secretary reads title of bill)

2nd Reading of the bill. No committee or Floor amendments.

PRESIDENT PHILIP:

Senate Bill 664. Senator Noland. Take it out of the record. Senate Bill 683. Senator Sullivan. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 683.

(Secretary reads title of bill)

2nd Reading of the bill. The Committee on Environment and Energy adopted one amendment.

PRESIDENT PHILIP:

Have there been any Floor amendments that have been approved for consideration?

SECRETARY HARRY:

No further amendments reported.

PRESIDENT PHILIP:

3rd Reading. Senate Bill 687. Senator Dillard. Senator Dillard. Take it out of the record. Senate Bill 722. Senator Cronin. Senator Cronin. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 722.

(Secretary reads title of bill)

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2nd Reading of the bill. The Committee on Education adopted one amendment.

PRESIDENT PHILIP:

Have there been any Floor amendments been approved for consideration?

SECRETARY HARRY:

No further amendments reported.

PRESIDENT PHILIP:

3rd Reading. Senate Bill 761. Senator O'Malley. Senator O'Malley. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 761.

(Secretary reads title of bill)

2nd Reading of the bill. No committee or Floor amendments.

PRESIDENT PHILIP:

3rd Reading. Senate Bill 787. Senator Donahue. Senator Donahue. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 787.

(Secretary reads title of bill)

2nd Reading of the bill. No committee or Floor amendments.

PRESIDENT PHILIP:

3rd Reading. Senate Bill 797. Senator Lauzen. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 797.

(Secretary reads title of bill)

2nd Reading of the bill. No committee or Floor amendments.

PRESIDENT PHILIP:

3rd Reading. Senate Bill 800. Senator Klemm. Read -- take it out of the record. Senate Bill 829. Senator Dillard. Read the bill, Mr. Secretary.

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SECRETARY HARRY:

Senate Bill 829.

(Secretary reads title of bill)

2nd Reading of the bill. No committee or Floor amendments.

PRESIDENT PHILIP:

3rd Reading. Senate Bill 837 {sic} (838). Senator Sullivan.
Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 838.

(Secretary reads title of bill)

2nd Reading of the bill. No committee or Floor amendments.

PRESIDENT PHILIP:

3rd Reading. Senate Bill 840. Senator Geo-Karis. Read the
bill.

SECRETARY HARRY:

Senate Bill 840.

(Secretary reads title of bill)

2nd Reading of the bill. No committee or Floor amendments.

PRESIDENT PHILIP:

3rd Reading. Senate Bill 842. Senator Syverson. Read the
bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 842.

(Secretary reads title of bill)

2nd Reading of the bill. No committee or Floor amendments.

PRESIDENT PHILIP:

3rd Reading. Senate Bill 849. Senator Robert Madigan. Read
the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 849.

(Secretary reads title of bill)

2nd Reading of the bill. No committee or Floor amendments.

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PRESIDENT PHILIP:

3rd Reading. Senator Sullivan. 861. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 861.

(Secretary reads title of bill)

2nd -- 2nd Reading of the bill. No committee or Floor amendments.

PRESIDENT PHILIP:

3rd Reading. Senate Bill 864. Senator Walsh. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 864.

(Secretary reads title of bill)

2nd Reading of the bill. No committee or Floor amendments.

PRESIDENT PHILIP:

3rd Reading. Senate Bill 865. Senator Walsh. Read the bill.

SECRETARY HARRY:

Senate Bill 865.

(Secretary reads title of bill)

2nd Reading of the bill. No committee or Floor amendments.

PRESIDENT PHILIP:

3rd Reading. Senate Bill 871. Senator Watson. Senator Watson. Take it out of the record. Senate Bill 874. Senator Sieben. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 874.

(Secretary reads title of bill)

2nd Reading of the bill. No committee or Floor amendments.

PRESIDENT PHILIP:

3rd Reading. Senate Bill 880. Senator Dillard. Senator Dillard. Take it out of the record. Senate Bill 887. Senator Geo-Karis. Take it out of the record. Top of page 6. Senate Bill

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898. Senator O'Malley. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 898.

(Secretary reads title of bill)

2nd Reading of the bill. No committee or Floor amendments.

PRESIDENT PHILIP:

3rd Reading. Senate Bill 912. Senator Lightford. Senator Lightford. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 912.

(Secretary reads title of bill)

2nd Reading of the bill. No committee or Floor amendments.

PRESIDENT PHILIP:

3rd Reading. Senate Bill 977. Senator Molaro. Senator Molaro. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 977.

(Secretary reads title of bill)

2nd Reading of the bill. No committee or Floor amendments.

PRESIDENT PHILIP:

3rd Reading. Senate Bill 978. Senator Dillard. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 978.

(Secretary reads title of bill)

2nd Reading of the bill. No committee or Floor amendments.

PRESIDENT PHILIP:

3rd Reading. Senate Bill 980. Senator Munoz. Take it out of the record, Mr. Secretary. Senate Bill 1026. Senator Roskam. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 1026.

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(Secretary reads title of bill)

2nd Reading of the bill. No committee or Floor amendments.

PRESIDENT PHILIP:

3rd Reading. Senate Bill 1097. Senator Dillard. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 1097.

(Secretary reads title of bill)

2nd Reading of the bill. No committee or Floor amendments.

PRESIDENT PHILIP:

3rd Reading. Senate Bill 1174. Senator Robert Madigan. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 1174.

(Secretary reads title of bill)

2nd Reading of the bill. No committee or Floor amendments.

PRESIDENT PHILIP:

3rd Reading. Senate Bill 1244. Senator Robert Madigan. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 1244.

(Secretary reads title of bill)

2nd Reading of the bill. No committee or Floor amendments.

PRESIDENT PHILIP:

3rd Reading. Senate Bill 1246. Senator Robert Madigan. Read the bill, Mr. Secretary. 1245. I'm sorry.

SECRETARY HARRY:

Senate Bill 1245.

(Secretary reads title of bill)

2nd Reading of the bill. No committee or Floor amendments.

PRESIDENT PHILIP:

3rd Reading. Senate Bill 1246. Senator Robert Madigan. Read

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the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 1246.

(Secretary reads title of bill)

2nd Reading of the bill. No committee or Floor amendments.

PRESIDENT PHILIP:

3rd Reading. Senate Bill 1247. Senator Robert Madigan. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 1247.

(Secretary reads title of bill)

2nd Reading of the bill. No committee or Floor amendments.

PRESIDENT PHILIP:

3rd Reading. Senate Bill 1248. Senator Madigan. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 1248.

(Secretary reads title of bill)

2nd Reading of the bill. No committee or Floor amendments.

PRESIDENT PHILIP:

3rd Reading. Senate Bill -- 1251. Senator Robert Madigan. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 1251.

(Secretary reads title of bill)

2nd Reading of the bill. No committee or Floor amendments.

PRESIDENT PHILIP:

3rd Reading. Senate Bill 1252. Senator Madigan. Read the bill.

SECRETARY HARRY:

Senate Bill 1252.

(Secretary reads title of bill)

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2nd Reading of the bill. No committee or Floor amendments.

PRESIDENT PHILIP:

3rd Reading. Senate Bill 1255. Senator Robert Madigan. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 1255.

(Secretary reads title of bill)

2nd Reading of the bill. No committee or Floor amendments.

PRESIDENT PHILIP:

3rd Reading. Senate Bill 1256. Senator Robert Madigan. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 1256.

(Secretary reads title of bill)

2nd Reading of the bill. No committee or Floor amendments.

PRESIDENT PHILIP:

3rd Reading. That was quite a run, Senator Madigan. Senate Bill 1289. Senator Klemm. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 1289.

(Secretary reads title of bill)

2nd Reading of the bill. No committee or Floor amendments.

PRESIDENT PHILIP:

3rd Reading. Senate Bill 1517. Senator Dillard. Senator Dillard. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 1517.

(Secretary reads title of bill)

2nd Reading of the bill. The Committee on Judiciary adopted one amendment.

PRESIDENT PHILIP:

Have there been any Floor amendments have been -- have been

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approved for consideration?

SECRETARY HARRY:

No further amendments reported, Mr. President.

PRESIDENT PHILIP:

3rd Reading. All right. We'll now go to the -- Senate Bills 3rd Reading, the top of page 7, and we're just going to do those bills that need an amendment. So we're going to go to Recalls. And -- and -- and then we will do 3rds. Okay. House Bill -- excuse me. Senate Bill 101. Senator Sieben. Senator Sieben, do you wish this bill returned to 2nd Reading for the purpose of amendment? Senator Sieben seeks leave of the Body to return House Bill -- Senate Bill 101 to the Order of 2nd Reading for the purpose of an amendment. Hearing no -- is leave granted? Hearing no objection, leave is granted. On the Order of 2nd Reading is House -- Senate Bill 101. Mr. Secretary, are there any Floor amendments?

SECRETARY HARRY:

Amendment No. 1, offered by Senator Sieben.

PRESIDENT PHILIP:

Senator Sieben.

SENATOR SIEBEN:

Thank you very much, Mr. President. Senate Amendment No. 1 is the technical amendment requested by the committee on behalf of Senator Klemm to adjust the brackets that would be reported. It's merely technical in nature, and I'd ask for its adoption.

PRESIDENT PHILIP:

Is there any further discussion? If not, all those in favor, signify by saying Aye. Those opposed, Nay. The Ayes have it. The amendment is adopted. Any Floor amendments approved for consideration?

SECRETARY HARRY:

No further amendments reported, Mr. President.

PRESIDENT PHILIP:

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3rd Reading. On the bottom of page 8, Senate Bill 758. Senator Rauschenberger. Does Senator Rauschenberger wish to return Senate Bill 758 to 2nd Reading for the purpose of amendment? Senator Rauschenberger takes leave of the Body to return Senate Bill 758 to the Order of 2nd Reading for the purpose of amendment. Hearing no objections, so ordered. All right. On the Order of -- of 2nd Reading is Senate Bill 756 {sic}. Mr. Secretary, are there any Floor amendments approved for consideration?

SECRETARY HARRY:

Amendment No. 1, offered by Senator Rauschenberger.

PRESIDENT PHILIP:

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 758, with this amendment, will now include the Senate version of a trimmed-down supplemental that I would prefer to explain on 3rd Reading to the Body. And I'd appreciate the adoption of the amendment.

PRESIDENT PHILIP:

Any discussion? Any discussion? If not, all those in favor, signify by saying Aye. Those opposed, Nay. The Ayes have it. The amendment is adopted. Any further amendments approved for consideration?

SECRETARY HARRY:

No further amendments reported.

PRESIDENT PHILIP:

3rd Reading. All right. Now we're going to 3rd Readings, on top of page 7. Senate Bill 19. Senator Lauzen. Senator Lauzen. Take it out of the record. Senate Bill 31. Senator Dillard. Senator Dillard. Take it out of the record. Senate Bill 50. Senator Syverson. Read the bill, Mr. Secretary.

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SECRETARY HARRY:

Senate Bill 50.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDENT PHILIP:

Senator Syverson.

SENATOR SYVERSON:

Thank you, Mr. President. Senate Bill 50 is to -- is designed to provide protection for sports officials. It establishes a minimum fine of a thousand dollars for individuals convicted of battery against an official. The legislation defines what "official" is. This is something that fourteen other states have already approved...

PRESIDENT PHILIP:

Could we have a little peace and quiet so we can hear the definition of this bill?

SENATOR SYVERSON:

...and would ask for a favorable roll call. Thank you.

PRESIDENT PHILIP:

Any discussion? Any discussion? If not, Senator Syverson, to close.

SENATOR SYVERSON:

Just ask for a favorable roll call. Thank you.

PRESIDENT PHILIP:

All right. On -- on -- on the question, shall Senate Bill 850 {sic} pass, all those in favor, will... All right. The question is, shall Senate Bill 50 pass. All those in favor will vote Aye. Those opposed, Nay. The voting is open. Have you all voted who wish? Have you all voted who wish? Take the record. There are 50 {sic} (56) Yeas, no Nays. Senate Bill 50, having received the required constitutional majority, declared passed. Senate Bill 65. Take it out of the record. Senate Bill 93. Senator

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Rauschenberger. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 93.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDENT PHILIP:

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 93 is a Metropolitan Water Reclamation District agreed-to annexation of a small subdivision in my district. It was unanimously supported in committee. I'd appreciate a favorable roll call.

PRESIDENT PHILIP:

Any further discussion? Any further discussion? If not, Senator Rauschenberger, to close. All right. The question is, shall Senate Bill 93 pass. All those in favor, signify by saying Aye. Those opposed, No. The voting is open. Have you all voted who wish? Have you all voted who wish? There are 56 Yeas, no Nays. Take -- take the record. On the question, there's 56 -- Yeas, no Nays, no voting Present. Senate Bill 93, having received the required constitutional majority, is declared passed. Senate Bill 98. Senator Cullerton. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 98.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDENT PHILIP:

Senator Cullerton.

SENATOR CULLERTON:

Thank you, Mr. President, Members of the Senate. This bill is a bill that we've actually already passed. It got tied up in the

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House a couple years ago. It amends the child passenger safety law. Passed unanimously out of the Transportation Committee. We have a -- we have a seat belt law that covers the front seat and we have a child passenger safety law that covers the -- the front and the rear seat. And what this says is that we're raising the age from 5 to 15 for children who have to be covered by the child passenger safety law. Be happy to answer any questions. And as I said, we've already passed this bill a couple years ago. Hope we can do it again.

PRESIDENT PHILIP:

Any discussion? Any discussion? If not, Senator Cullerton, to close.

SENATOR CULLERTON:

Appreciate a favorable roll call.

PRESIDENT PHILIP:

All right. The question is, shall Senate Bill 98 pass. All those in favor will vote Aye. Those opposed, Nay. The voting is open. Have you all voted who wish? Have you all voted who wish? Take the record. On Senate Bill 98, there are 55 Yeas, no Nays. Senate Bill 98, having received the required constitutional majority, is declared passed. Senate Bill 101. Senator Sieben. Take it out of the record. Senate Bill 104. Senator Luechtefeld. Senator Luechtefeld. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 104.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDENT PHILIP:

Senator Luechtefeld.

SENATOR LUECHTEFELD:

Thank you, Mr. President and Members of the Senate. Senate Bill 104 creates the Coal Rights Act. It provides for

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determination of rights of multiple owners of coal mining rights including court procedures, appointment of trustees, and rights of lessees, and payments from the coal -- the sale of coal. Actually, this bill simply puts the mining of coal on -- on the same playing field as far as ownership is concerned with something that gas and oil has had for a lot of years. And at the suggestion of the -- the Chairman of the Judiciary Committee, Carl Hawkinson, this does not include surface mining. It's not part of it in -- in this bill. I would answer any questions.

PRESIDENT PHILIP:

Further discussion? Senator O'Daniel.

SENATOR O'DANIEL:

Thank you, Mr. President, Members of the Senate. I rise in strong support of this legislation. I think this is probably the most important legislation pertaining to our -- our high-sulfur coal in southern Illinois that's come down the pike in -- in many years. It allows them to lease for coal, similar to what they do for oil. And, you know, as the next phase of the Clean Air Act kicks in, if they require all coal-fired plants to -- to have scrubbers, I think, you know, with this legislation, letting our coal companies get themselves in order to be able to lease and produce their coal, maybe it'll -- it'll be a big shot in the arm for our coal industry.

PRESIDENT PHILIP:

Further discussion? Further discussion? If not, Senator Luechtefeld, to close.

SENATOR LUECHTEFELD:

You know, with the renewed interest in -- in coal, because of high energy costs, we would like to be, hopefully, for the State of Illinois, on an equal playing field with our neighboring states, and I think this bill does a lot to do that. Would ask for a favorable vote.

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PRESIDENT PHILIP:

The question is, shall Senate Bill 104 pass. Those in favor will vote Aye. Those opposed, Nay. The voting is open. Have you all voted who wish? Have you all voted who wish? Take the record. Senate Bill 104, having received the constitutional -- on the question, there are 56 Ayes, no Nays. Senate Bill 104, having received the required constitutional majority, is declared passed. Senate Bill 107. Senator del Valle. Senator del Valle. Take it out of the record. Senate Bill 109. Senator del Valle. Take it out of the record. Senate Bill 129. Senator Burzynski. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 129.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDENT PHILIP:

Senator Burzynski.

SENATOR BURZYNSKI:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This bill amends the Nursing and Advanced Practice Nursing Act, providing a nurse who's never been licensed in any jurisdiction, has taken a licensure exam and failed within three years is required to take a Department-approved remedial nursing program. There are no opponents to this bill. Passed out of committee unanimously.

PRESIDENT PHILIP:

Further discussion? Further discussion? If not, Senator Burzynski, to close.

SENATOR BURZYNSKI:

Just ask for a favorable roll call.

PRESIDENT PHILIP:

All right. The question is, shall Senate Bill 129 pass. All

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those in favor will vote Aye. Those opposed, Nay. The voting is open. Have you all voted who wish? Have you all voted who wish? Take the record. On the question, there are 56 Ayes, no Nays. Senate Bill 129, having received the required constitutional majority, is declared passed. Senate Bill 149. Senator Donahue. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 149.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDENT PHILIP:

Senator Donahue.

SENATOR DONAHUE:

Thank you very much, Mr. President, Members of the Chamber. Senate Bill 149 allows the Department of Public Health to provide grants to federally qualified health centers. These grants are to be used to establish new sites, as well as provide for primary health care services to uninsured populations. We were able to take care of the Med Society's concerns in committee. Through the amendment, it allows for a comment period and -- and the ability -- a thirty-day time period for people to -- in the community to say whether or not they would like to have this health center sited in their area. So it's a good piece of legislation and I would ask for your support.

PRESIDENT PHILIP:

Further discussion? Further discussion? Senator Trotter.

SENATOR TROTTER:

Thank you very much, Mr. President. Will the sponsor yield?

PRESIDENT PHILIP:

She indicates she will. Senator Trotter.

SENATOR TROTTER:

Yes. Senator Donahue, this is a -- a three-million-dollar

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increase in -- in what they've asked for in previous years?

PRESIDENT PHILIP:

Senator Donahue.

SENATOR DONAHUE:

Actually, Senator Trotter, normally here we do things -- normally, we do things here where you have the substantive legislation that's subject to appropriation. Last year these health centers were granted the money; we didn't have any substantive way to spend it. And that's -- we've done it backwards, and so this -- the money has been there and is there and we're trying to get a way to spend the money.

PRESIDENT PHILIP:

Senator Trotter.

SENATOR TROTTER:

Okay. From my understanding, they were in the budget last year for a million dollars and that the Governor decided to cut the million dollars out. And they've actually added additional two million dollars in their request; that this is all new projects that they're asking for.

PRESIDENT PHILIP:

Senator Donahue.

SENATOR DONAHUE:

They may be asking for more money this year, but it's not in this bill. We're just trying to give the substantive language so the Department can do these grants. Last year they didn't have the power to do that.

PRESIDENT PHILIP:

Senator Trotter.

SENATOR TROTTER:

Thank you very much, Mr. President.

PRESIDENT PHILIP:

Okay. Any further discussion? If not, Senator Donahue, to

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close. Senator Donahue.

SENATOR DONAHUE:

I would -- this is a good piece of legislation, and in light of what's happening federally, with new monies coming to these health centers, I think it's important to get it in place. So, I would ask for your favorable roll call.

PRESIDENT PHILIP:

All right. The question is, shall Senate Bill 149 pass. All those in favor will vote Aye. Those opposed, Nay. The voting is open. Have you all voted who wish? Have you all voted who wish? Take the record. On the question, there are 55 Ayes, no Nays, 1 Present. Senate Bill 149, having received the required constitutional majority, is declared passed. Senate Bill 164. Senator Rauschenberger. Senator Rauschenberger. Take it out of the record. Senate Bill 168. Senator Myers. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 168.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDENT PHILIP:

Senator Myers.

SENATOR MYERS:

Thank you, Mr. President, Members of the Senate. This is a bill that deals with making information available about a killer disease: meningitis. Hits a lot of college students. There was a death at Eastern Illinois University recently, in my district. What the bill does is to require public universities to inform its incoming freshmen and transfer students about meningitis and its transmission at the beginning of each academic year. In addition, it requires any university facility that delivers health service to students to offer the vaccine, subject to availability of the

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vaccine from the manufacturer. The university is not required to pay for the vaccine, so it isn't a mandate. It does require universities to offer it, but does not require the students to get it. So I would be happy to answer questions. If not, I would ask for an affirmative vote.

PRESIDENT PHILIP:

Any discussion? Any discussion? If not, Senator Myers, to close.

SENATOR MYERS:

Thank you, Mr. President. I'd just ask for an affirmative vote.

PRESIDENT PHILIP:

All right. The question is, shall Senate Bill 168 pass. All those in favor, signify by voting Aye. Those opposed, Nay. The voting is open. Have you all voted who wish? Have you all voted who wish? Take the record. On the question, there are 56 Yeses, no Nays, no voting Present. Senate Bill 168, having received the required constitutional majority, is declared passed. Senate Bill 187. Senator O'Malley. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 187.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDENT PHILIP:

Senator O'Malley.

SENATOR O'MALLEY:

Mr. President, thank you. Ladies and Gentlemen of the Senate, Senate Bill 187 implements the Protect Our Children Program on a statewide basis. This is a program that was initiated in Livingston County and, in particular, in the Flanagan School District there, working with local officials. That program is directed at providing information about orders of protection to

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elementary and secondary school -- schools, and has the -- the enthusiastic support of the Illinois Statewide School Management Alliance. The Illinois State Crime Commission brought this initiative to my attention, and in further discussions with them, we not only agreed to sponsor the legislation, but to expand its implementation to include colleges, as -- as well as preschools. Be happy to answer any questions there are and would certainly request your support.

PRESIDENT PHILIP:

Any further discussion? Any -- if not, Senator O'Malley, to close. The question is, shall Senate Bill 187 pass. All those in favor, vote Aye. All those opposed, Nay. The voting is open. Have you all voted who wish? Have you all voted who wish? Take the record. On the question, there are 55 Ayes, no Nays. Senate Bill 187, having received the required constitutional majority, is declared passed. Senate Bill 231. Senator O'Malley.

SENATOR O'MALLEY:

Thank you...

PRESIDENT PHILIP:

Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 231.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDENT PHILIP:

Senator O'Malley.

SENATOR O'MALLEY:

Again, thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 231 provides and directs the Cook County Treasurer to provide a form to designate any person to receive duplicate notices of any property tax delinquency. Further requires that the property tax bill in all counties, including

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Cook County, list the amount of any delinquent tax due on the property. And finally, for Cook County only, requires that the first installment reflect fifty percent of the prior year taxes actually owed, taking into consideration any reductions approved by the board of review, the Property Tax Appeal Board, or a court by December 31 of the preceding year as a result of appeals or for any other reason. The principal elements of this legislation are the direct result of the Minnie Stroud incident, where a seventy-six-year-old woman almost lost her home for her lack of knowledge, frankly, about the fact that taxes on her home were delinquent. And -- but for some extraordinary intervention at the local level, she would have lost her home. This is intended to make sure that no senior citizen ever is confronted with this again. Would appreciate your support.

PRESIDENT PHILIP:

Further discussion? Any discussion? If not, Senator O'Malley, to close.

SENATOR O'MALLEY:

Again, I would appreciate your support.

PRESIDENT PHILIP:

The question is, shall Senate Bill 231 pass. All those in favor, vote Aye. Those opposed, Nay. The voting is open. Have you all voted who wish? Take the record. There are 55 Yeas, no Nays, no voting Present. Senate Bill 231, having received the required constitutional majority, is declared passed. Unfortunately, we have a mechanical failure. My screen has been going blank, among other things. All right. Without the little boob tube, Senate Bill 275. Senator Parker. Take it out of the record. Senate Bill 289. Senator Burzynski. Senator Burzynski. Take it out of the record. Senate Bill 314. Senator Cronin. Read the bill, Mr. Secretary -- Madam Secretary.

ACTING SECRETARY HAWKER:

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Senate Bill 314.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDENT PHILIP:

Senator Cronin.

SENATOR CRONIN:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 314 amends the State Employees Group Insurance Act. It provides that community college teachers -- part-time teachers may voluntarily participate in health insurance if they contribute to their program. It provides that, like every other active contributor of the State University Retirement System that's eligible, part-time employees must make contributions toward the cost of community college annuitant and health benefits. I ask for your favorable consideration.

PRESIDENT PHILIP:

Any discussion? Any discussion? If not, Senator Cronin, to close.

SENATOR CRONIN:

Thank you for your positive vote.

PRESIDENT PHILIP:

Yes. The question is, shall Senate Bill 314 pass. All those in favor, signify by voting Aye. Those opposed, Nay. The voting is open. Have you all voted who wish? Have you all voted who wish? Take the record. Senate Bill 314 - 54 Ayes, no Nays, no voting Present - having received the constitutional majority, is declared passed. Senate Bill 368. Senator Munoz. Read the bill, Mr. {sic} Secretary.

ACTING SECRETARY HAWKER:

Senate Bill 368.

(Secretary reads title of bill)

3rd Reading of the bill.

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PRESIDENT PHILIP:

Senator Munoz.

SENATOR MUNOZ:

Thank you, Mr. President, Members of the Senate. Senate Bill 368 amends the Credit Card Liability Act. It's just adding debit cards to title and applying the same liabilities given to credit card holders to debit card holders. Limits the liability in the event of a card that is stolen or lost or used in unauthorized manner. If the card is not signed, you would pay twenty-five dollars without the signature, and fifty dollars if the card was signed. Provides that after the cardholder gives notice to the issuer, that they will not be liable for unauthorized use. There's no known opposition at this time. I will attempt to answer any questions, if any.

PRESIDENT PHILIP:

Any further discussion? Any further discussion? If not, Senator Munoz, to close.

SENATOR MUNOZ:

I would ask for a favorable roll call.

PRESIDENT PHILIP:

The question is, shall Senate Bill 368 pass. All those in favor, signify by voting Aye. Those opposed, Nay. The voting is open. Have you -- have you all voted who wish? Have you all voted who wish? Take the record. There are 56 Ayes, no Nays, no voting Present. Senate Bill 368, having received the required constitutional majority, is declared passed. Senate Bill 370. Senator Rauschenberger. Senator Rauschenberger. Take it out of the record. Senate Bill 396. Senator Parker. Take it out of the record. Senate Bill 400. Senator O'Malley. Read the bill, Mr. {sic} Secretary.

ACTING SECRETARY HAWKER:

Senate Bill 400.

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(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDENT PHILIP:

Senator O'Malley.

SENATOR O'MALLEY:

Mr. President, thank you very much. Senate Bill 400 provides for the establishment of the Southwest Suburban Railroad Relocation and Development {sic} (Redevelopment) Authority, something that we spent a lot of time working on last year. In fact, Senator Shaw and I worked very hard last Session to get that done. It went to the House and got hung up over there. There were amendments added in the committee to incorporate the provisions of Senate Bill 454 to create the Dixon Railroad Relocation Authority, at the request of Senator Sieben, and to expand the territory of the existing 25th Avenue Railroad Relocation and Development Authority, at the request of Senators Cronin and Lightford, pursuant to Senate Bill 723. Be happy to answer any questions there may be.

PRESIDENT PHILIP:

Further discussion? Further discussion? If not, Senator O'Malley, to close.

SENATOR O'MALLEY:

Would appreciate your support.

PRESIDENT PHILIP:

The question is, shall Senate Bill 400 pass. All those in favor will vote Aye. Those opposed, Nay. The voting is open. Have you all voted who wish? Have you all voted who wish? Take the record. On the question, there are 55 Ayes, no Nays, no voting Present. Senate Bill 400, having received the required constitutional majority, declared passed. Senate Bill 452. Senator Jacobs. Take it out of the record. Senate Bill 479. Senator DeLeo. Read the bill, Mr. {sic} Secretary.

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ACTING SECRETARY HAWKER:

Senate Bill 479.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDENT PHILIP:

Senator DeLeo.

SENATOR DeLEO:

Thank you, Mr. President. Senate Bill 479 just adds two elected trustees to the common board of trustees for Cook County and Forest Preserve union. What this does is allow two retirees. The board has expanded -- expands to provide two memberships because the number of retirees have almost tripled in the last ten years, and this is -- becomes effective immediately. The Cook County Pension Board approves of this. County Board President approves of this. There's no known opposition.

PRESIDENT PHILIP:

Further discussion? Further discussion? If not, Senator DeLeo, to close.

SENATOR DeLEO:

I just merely ask for a favorable roll call on Senate Bill 479.

PRESIDENT PHILIP:

The question is, shall Senate Bill 479 pass. All those in favor will vote Aye. Those opposed, Nay. The voting is open. Have you all voted who wish? Have you all voted who wish? Take the record. On the question, there are 56 Ayes, no Nays, no voting Present. Senate Bill 479, having received the required constitutional majority, is declared passed. Senate Bill 758. Senator Rauschenberger. Read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 758.

(Secretary reads title of bill)

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3rd Reading of the bill.

PRESIDENT PHILIP:

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 758 is now -- as amended, is now the Senate's version of the supplemental. It deals with some of the issues that have been talked about and rolled around over in the House. Our colleagues in the House seem to be having some problem coming to consensus about voting on the bill. With leave of the Body, I will very quickly go through the sections of the bill so the Members are all aware of what -- what's in the bill. And I'll be happy to take questions, to the extent people have them. The first section deals with an eight-hundred-thousand-dollar GRF grant to the fish processing plant in Pinckneyville. This is the second installment that was inadvertently left out of the last budget. Section 5 deals with Commerce and Community Affairs. It appropriates eighty million dollars of federal money to the LIHEAP, low income energy assistance -- heating assistance program that the federal government has made available. We have been informed that DCCA needs these funds by mid-March, and since we'll be gone next week, we wanted to make sure the House had an appropriate vehicle to deal with this issue in our absence. Section 7 deals with the Department of Human Services, and it does two things that are critical. Adds ten million new GRF dollars to the Early Intervention Program to help that program function through the end of the fiscal year, and also authorizes an additional thirty-five-million-dollar appropriation authority from the Early Intervention Revolving Fund, for a total of forty-five million dollars of additional spending flexibility for the Department on the EI Program. This incorporates twenty-five million two hundred and ninety-eight thousand dollars to fund for

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the -- for -- beginning March 1st, or seven days ago, the dollar-an-hour wage increase for workers who work with people -- direct care workers in the field of developmental disabilities that many Members of this Chamber have aggressively and thoughtfully supported. Section 10 deals with the Department of Natural Resources and really essentially does transfers and reallocations. Section 16 is -- is the Department of Transportation. Again, transfers some resources out of Department of Transportation into DNR and to DCCA to complete some Member initiatives. Section 20 {sic} (19) is Capital Development Board. Again, relating to two Member projects that were inadvertently omitted from the budget, but were agreed to. Section 20 deals with Capital Development Board reappropriation. Again, related to projects that were not yet completed. Build Illinois is a reallocation. Section 22 is the Comprehensive Health Insurance Program. It's an additional ten-million-dollar General Revenue supplemental to deal with the increased claims and to reopen that program to enrollment. Section 25 adds a hundred and five thousand of General Revenue to correct a drafting error in the budget of the Senate Operations Commission. Section 30 provides spending authority in a legislative transfer for the Secretary of State to deal with -- it's 2.4 million to deal with the increased need to make refunds based on the change in our Circuit Breaker program. The State Board of Education section is amended. It corrects the levels of all the categoricals to what we expect the utilization to be, based on the bills that have now come into the State Board, and also deals with a 1.4-million-dollar grant to the Round Lake School District, as recommended by the Financial Advisory Commission that the school district applied to a year ago. It's a statutory program. This funds that. Does not fund the -- I think the 5.6-million-dollar loan request, which is still subject to the financial oversight panel and our legislative

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action. I'd be happy to -- to expand on any of those areas, to the extent that Members would like to know more.

PRESIDENT PHILIP:

Further discussion? Senator Trotter.

SENATOR TROTTER:

Thank you very much, Mr. President, Members of the Body. Overall, I believe this is -- this appropriation bill does cover all of our concerns, of those calls we've been getting from back in our districts about the CHIP program. This bill certainly brings it up to that level in which we can now get rid of that waiting list of six hundred and fifty people and fund it throughout the rest of the year. The LIHEAP dollars we know we need, especially with -- for our seniors that are out there. But there were a few concerns that this -- our caucus did have. One was the appropriation to the Round Lake School District, which was mentioned by the Senator, that we are -- are going to appropriate 1.4 million dollars, which has been cleared by the Commission. It would seemingly that these dollars could have been gotten elsewhere, and if the sponsor would tell us why we are appropriating them at this time through this budget process.

PRESIDENT PHILIP:

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

There -- there's a critical question of cash flow for that school district, and the -- the Financial Advisory Board and the State Board of Education believe that if we don't appropriate this 1.4-million-dollar grant now, the school district may have to close operations during the school year.

PRESIDENT PHILIP:

Senator Trotter.

SENATOR TROTTER:

Thank you very much, Mr. President. It's also been brought to

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our attention they have already been in receipt of eight hundred thousand dollars. Is this just paying the balance of that eight hundred thousand dollars, as recommended by the Advisory Committee?

PRESIDENT PHILIP:

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Under -- under the -- the -- the supplemental, they're allocated 1.4 million dollars, as a cap, that Round Lake can receive. But it is correct, I think, the appropriation will leave two -- or, eight hundred thousand dollars in the Emergency Fund in case another occurrence happens in another school district while the General Assembly's not in Session.

PRESIDENT PHILIP:

Senator Trotter.

SENATOR TROTTER:

These dollars come out of the General State Fund -- General State Aid Fund?

PRESIDENT PHILIP:

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

The -- the funding that was transferred in is transferred out of the General State Aid account. The General State Aid account is estimated every year because we don't know enrollment. The State Board believes there'll be a fifteen-million-dollar lapse in that account. We did access 2.2 million dollars of the expected lapse in the GSA. That -- yes, so the source of funding -- the answer to your question is yes.

PRESIDENT PHILIP:

Senator Trotter.

SENATOR TROTTER:

Does Round Lake, at this point in time, have a referendum that

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they're going to be voting on anytime soon to possibly raise their threshold for the tax levy?

PRESIDENT PHILIP:

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

To -- to the best of our knowledge, they are scheduled for an April referendum. So they'll be -- along with the consolidated municipal elections, they'll be asking their taxpayers to step up to the plate, and I think that's a -- an element in the fiscal -- the Financial Advisory Board's discussions with them about a potential loan under the statute.

PRESIDENT PHILIP:

Senator Trotter.

SENATOR TROTTER:

Not -- not to question the -- the real reason for it. I mean, this is -- Round Lake isn't the only school district that has been confronted with these problems. We see, all through the State, that we now have various residences and various communities that are having problems raising dollars for their schools. Last year, the Democrats took out of their caucus allotment and actually took care of our problem, and it just seemingly that this could have been an issue whereas, in this district, that could have been done as well. Basically just a statement. I also have another issue, if I may. On the Secretary of State's budget, you're saying that we're transferring 2.24 million dollars to assist him with the Circuit Breaker program -- 2.4. I'm sorry. Is that correct?

PRESIDENT PHILIP:

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

That's correct. We're transferring the money legislatively and giving him the spending authority to make the refunds to the people that he's been unable to refund and he sends letters to

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telling them that he doesn't have the authority.

PRESIDENT PHILIP:

Senator Trotter.

SENATOR TROTTER:

I've been informed by the Secretary of State's Office that they don't have 2.4 million dollars that they can transfer to this program, and if they do so, that they'll be cutting services on the other end. Why is it we didn't just give them additional dollars and not just make -- allow them, or make them, to transfer dollars?

PRESIDENT PHILIP:

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Well, I -- I'm glad you asked that question, Senator Trotter. We have been, to the extent we're capable, trying to discuss with the Secretary of State how we might do that. In FY'95, the Secretary of State's Office lapsed five million dollars. In Fiscal Year 2000, the Secretary of State's Office lapsed eleven million dollars. The 2.4 million dollars represents less than one percent of their General Revenue/Road Fund appropriations. To the best of our knowledge, we believe they're going to lapse those lines anywhere -- anyway. We've had several discussions, at least our staff have, with the staff of the Secretary of State's Office, asking them if -- if they have a problem, to kind of demonstrate for us where they believe that problem will be. Since they don't line item their budget and have been resistant to the concept of line-item explanation for us, it's difficult for us to help 'em along those lines, but we certainly encourage that. If they do, in the end of this fiscal year, begin to run short of funds - and keep in mind, I think they have more than five months of spending authority left - we will certainly be in a position, in the May final budget, to deal with them on a supplementary -- a

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supplemental article in the budget if they -- if they can't manage under the funds they have.

PRESIDENT PHILIP:

Senator Trotter.

SENATOR TROTTER:

Thank you very much, sir.

PRESIDENT PHILIP:

Senator Halvorson.

SENATOR HALVORSON:

Thank you, Mr. President, Members of the Senate. I too supported this amendment in committee because there are so many good things about it, but I have a major concern about the dangerous precedent that we're setting in spending leftover GSA money, that was intended for all nine hundred school districts, on one. The 1.4 million dollars to go to one school district I believe removes the incentive to ever balance their books. I have many school districts in my district, such as Bloom and Crete Monee, and Calumet Park across the aisle with -- the line with Senator Shaw, that has had to cut their school day. One, Bloom, had to cut their school day to one o'clock, cut courses and virtually had that incentive to remove their -- to balance their books. I believe that we are setting this precedent to allow schools to say, "Well, I'm sorry, but if the State doesn't bail us out, we're going to close our doors tomorrow." I think we need to do something about encouraging our school districts to have the incentive to balance their books and not be bailed out every time someone just says they're going to close their doors. So I, too, have a major concern about this, and we should do something about using GSA, that was intended for all nine hundred school districts, on one.

PRESIDENT PHILIP:

Senator del Valle.

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SENATOR DEL VALLE:

Thank you, Mr. President. I have a question for the sponsor.

PRESIDENT PHILIP:

He will answer.

SENATOR DEL VALLE:

Senator, on the -- the Math and Science Academy, the TAMS program, we have over three hundred thousand dollars in the supplemental. Does this amount represent an expansion of TAMS, number one? Number two, will it be annualized in next year's budget, and what is the total amount for next year versus the total amount for this year, with this supplemental?

PRESIDENT PHILIP:

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Thank you, Senator del Valle. To the question on the TAMS program, which is the Teachers Academy of {sic} (for) Math and Science, the State Board requested - it wasn't our idea, certainly. The State Board requested a transfer of three hundred thousand dollars, to the best of my knowledge, to add a -- an expansion in their Joliet program because they'd like to include more teachers in the Teachers Academy of Math and Sciences. It would probably be their hope and expectation - the State Board's, that is - that we would annualize that amount, and certainly, as we go through appropriation, we'll probably consider doing that. It's generally been the position of the Senate and the Senate Appropriation Committee to allow administrative agencies to transfer within their own lines, as long as we don't have a -- a serious objection. But that's a good question. And when we have the State Board before the -- the Committee, we need to make them walk through where they're headed with that program, because I know Senator Clayborne and other Senators have a great deal of interest in seeing that program maintained and expanded.

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PRESIDENT PHILIP:

Senator Demuzio.

SENATOR DEMUZIO:

Thank you, Mr. President. I -- I would like to ask a question of the sponsor.

PRESIDENT PHILIP:

Indicates he will.

SENATOR DEMUZIO:

I'm sympathetic to what you are attempting to do here with respect to Round Lake. I have a prospective problem myself, in my own district, if a coal mine should happen to cease operation in -- in March. What would happen if that were to be the case? Would -- would the school district be able to go to the State Board for emergency money, or -- or do you think that they should get a loan, or do you suppose that they may -- might go to a referendum also? I mean, do you have any ideas as to where we're -- where we're headed with all this?

PRESIDENT PHILIP:

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Thank you, Senator Demuzio, for that question. One of the reasons that we're appropriating 2.2 million dollars, at the request of the State Board, to the Emergency Fund, is I think they are concerned about making sure that the program is solvent when we're not in Session, in case another school district ran into exactly the -- or, a similar situation to Round Lake. I'm not an expert on it. People in the Education Committee probably know more. But this -- this particular statutory program requires that school district to submit to financial oversight and open up its books and walk through their numbers. To the best of my knowledge, any school district which agreed to the criterion and the requirements of the program and met, would then get a

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recommendation (a) for a grant from the Emergency Fund, if they qualified, and (b) could receive loan support. So this -- this program is actually a statutory program created in the Education Committee.

PRESIDENT PHILIP:

Senator Demuzio.

SENATOR DEMUZIO:

Well, perhaps you could give me a quick over -- oversight as to what took place here. Now, it's my understanding that the State Board has given Round Lake, already, eight hundred thousand dollars out of their so-called Emergency Fund, or whatever it is. And -- what -- what triggers that? Is there -- is there a provision in the Code that -- that says that you either voluntarily or involuntarily are going to ask for this money because of a -- of an oversight group that had to be formed at the local level? Can you -- can you take me through that?

PRESIDENT PHILIP:

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

This -- this is one of those times when my heart pines to have Senator Berman here, because probably, at some point, we could use the -- the guy who's a real historian on education. But let -- let me help you with a couple points I can help you with. This school district submitted its books and its management and its practices to review according to the statute. They had external oversight that met and worked with their local administrators. They were -- the State Board, I think, had about eight hundred thousand dollars in this Emergency Fund. That money was used to cash flow this district so far because they qualified under the statutory program. We're refilling, putting the money back into the Fund. We're not directly appropriating to Round Lake. So this is not a legislative appropriation to the Round Lake School

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District. This appropriation goes to the State Board Emergency Fund that they administer according to the statute. But -- but I won't represent to you, Senator Demuzio, that I know a lot more about that statutory scheme than I just explained.

PRESIDENT PHILIP:

Senator Demuzio.

SENATOR DEMUZIO:

Well, a couple other questions then. Why -- why are we not just giving them a loan? Why is this an outright grant? I mean, what incentives are going to be left for them to pass any type of referendum in -- in the near future? If we are making -- if we are making -- making the Fund whole, to the point of 2.4, what's -- why do they -- why do they have to pass a referendum? I mean...

PRESIDENT PHILIP:

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

I -- I wish I could be more comprehensive on what the underpinnings of this program were and why... I mean, at some point in the past, this came out of the Education Committee, and it's a substantive program. The reason, as I understand it from the testimony from Mr. Wood from the State Board of Education, the grant portion of the program is to prevent a school from closing, and it's emergency money that the State Board asks for every year to -- to keep a school open. The loan portion deals with if they submit to the financial oversight, meet conditions and fix their budget, or whatever else they have to do, including going to referendum and trying to get more real estate tax dollars, there's also a bridge loan program available. So it's like a two-part program. But it's a statutory scheme that's on the books. I just want you to know the Appropriation Committee isn't recommending direct grants to school districts; that this school district

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submitted itself to a statutory program under the auspices of the State Board and met the qualifications. That same statutory program, to the best of my knowledge, is available to any troubled school district in the State.

PRESIDENT PHILIP:

Senator Demuzio.

SENATOR DEMUZIO:

Well, one further question then. What -- what is, in fact, the -- what is -- what is a voluntary versus a nonvoluntary submission of the books and records to the State Board? I'm not sure that I have the proper -- proper terms, but what does that mean, and how do you get to that point, and who makes that determination?

PRESIDENT PHILIP:

Senator Rauschenberger, this is your final answer.

SENATOR RAUSCHENBERGER:

A voluntary oversight is when the -- the oversight panel is created by a -- you know, a cooperative effort between the local and the State Board of Education. Involuntary is when it's created by the State Board of Education and it oversees them without local participation. East St. Louis was an example of an involuntary oversight.

PRESIDENT PHILIP:

Senator Demuzio.

SENATOR DEMUZIO:

But we didn't give them any money that I recall correctly. And...

PRESIDENT PHILIP:

Senator Rauschenberger. I guess that's a question.

SENATOR RAUSCHENBERGER:

Yeah. That's true. East St. Louis, based on the work of their financial oversight authority, it -- it was -- they didn't have a cash problem in the same sense that Round Lake does. In other

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words, they had a management problem in allocation of resources. But it was always up to the State Board and to the Advisory Panel. That Advisory Panel is not the General Assembly. We're acting to put money into a fund that was statutorily created by an action of this Body, endorsed by the House and signed by the Governor. I just want you to know, this is not -- we're not doing school policy here. We're putting money that was requested by the Governor into a fund.

PRESIDENT PHILIP:

Senator Demuzio. Further discussion? If not, Senator Rauschenberger, to close.

SENATOR RAUSCHENBERGER:

Well, I appreciate the spirit and thoughtful oversight of the 1.4-million-dollar portion of the hundred-and-sixty-one-million-dollar supplemental, and I enthusiastically encourage everyone to vote for a dollar an hour for -- for people working with disabled workers, to reopening the CHIP program, to -- to making sure that the EI Program is -- is financially sustained through the end of the year. There's a lot of good things in this supplemental. I encourage a lot of green lights.

PRESIDENT PHILIP:

All right. The question is, shall Senate Bill 758 pass. All those in favor will vote Aye. Those opposed, Nay. The voting is open. Have you all voted who wish? Have you all voted who wish? Take the record. On the question, there are 56 Ayes, no Nays. Senate Bill 758, having received the required constitutional majority, is declared passed. Senate Bill 866. Senator Peterson. Senator Peterson. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

Senate Bill 866.

(Secretary reads title of bill)

3rd Reading of the bill.

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PRESIDENT PHILIP:

Senator Peterson.

SENATOR PETERSON:

Thank you, Mr. President. Under the Illinois Insurance Code, current law provides that policies of accident or health insurance that provide for mastectomies must also offer coverage for reconstructive surgery incident to a mastectomy. Senate Bill 866 provides that if these policies provide mastectomy coverage, that coverage for prosthetic devices or reconstructive surgery incident to a mastectomy must also be provided. Ask for your support of Senate Bill 866.

PRESIDENT PHILIP:

Further discussion? Further discussion? If not, Senator Peterson, to close.

SENATOR PETERSON:

Appreciate your support for this bill.

PRESIDENT PHILIP:

All right. The question is, shall Senate Bill 866 pass. All those in favor, vote Aye. All those opposed, Nay. The voting is open. Have you all voted who wish? Have you all voted who wish? Take the record. On the question, there are 56 Ayes, no Nays, no voting Present. Senate Bill 866, having received the required constitutional majority, declared passed. Senate Bill 867. Oh, excuse -- excuse me. Senator Geo-Karis, for what purpose do you rise?

SENATOR GEO-KARIS:

Mr. President, I had a little problem with my switch when Senate Bill 400 was called, so -- and I intended to vote for it. So I would like the record to reflect that, if -- if the switch were working at the time, I would have voted Yes for Senate Bill 400.

PRESIDENT PHILIP:

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The record will so indicate. Senate Bill 867. Senator Peterson. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

Senate Bill 867.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDENT PHILIP:

Senator Peterson.

SENATOR PETERSON:

Thank you, Mr. President. Senate Bill 867, as amended, is a Department of Revenue administrative bill. And the legislation expands the current law as -- defines as "long-term care insurance". Provides that the term also include a policy or rider that it provides for payment of benefits based upon cognitive impairment or the loss of functionary capacity. The term also includes qualified long-term care insurance contracts. It changes several definitions, and I appreciate your support of 867.

PRESIDENT PHILIP:

Any further questions? Any further -- if not, Senator Peterson, to close.

SENATOR PETERSON:

Appreciate your support for this bill.

PRESIDENT PHILIP:

The question is, shall Senate Bill 867 pass. All those in favor will vote Aye. Those opposed, Nay. The voting is open. Have you all voted who wish? Have you all voted who wish? Take the record. On the question, there are 56 Ayes, no Nays, no voting Present. Senate Bill 867, having received the constitutional majority, declared passed. Senate Bill 869. Senator Radogno. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

Senate Bill 869.

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(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDENT PHILIP:

Senator Radogno.

SENATOR RADOGNO:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 869 extends the prohibition against unfair discrimination based upon race, color, religion, or national origin that currently exists in Class 3 insurance to Classes 1 and 2.

PRESIDENT PHILIP:

Any further discussion? Any further discussion? If not, Senator -- Senator Radogno, to close.

SENATOR RADOGNO:

I ask for your favorable vote. Thank you.

PRESIDENT PHILIP:

All right. The question is, shall Senate Bill 869 pass. All those in favor will vote Aye. Those opposed, Nay. The voting is open. Have you all voted who wish? Have you all voted who wish? Take the record. On the question, there are 55 Ayes, no Nays, no voting Present. Senate Bill 869, having received the required constitutional majority, declared passed. Senate Bill 870. Senator O'Malley. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

Senate Bill 870.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDENT PHILIP:

Senator O'Malley.

SENATOR O'MALLEY:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 870 sets forth the procedures which -- by which the

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Director of the Department of Insurance may refund an insurer's deposits of securities upon dissolution of that insurer. Under current law, when an insurance company decides to voluntarily dissolve, the Department has no statutory mechanism for returning the security deposits. This is a request of the -- the Illinois Department of Insurance. Request your support.

PRESIDENT PHILIP:

Further discussion? Further discussion? If not, Senator O'Malley, to close.

SENATOR O'MALLEY:

Would request your support.

PRESIDENT PHILIP:

All right. The question is, shall Senate Bill 870 pass. All those in favor will vote Aye. Those opposed, Nay. The voting is open. Have you all voted who wish? Have you all voted who wish? Take the record. On the question, there are 56 Ayes, no Nays, no voting Present. Senate Bill 870, having received the required constitutional majority, is declared passed. Senate Bill 915. Senator Shadid. Read the bill...

ACTING SECRETARY HAWKER:

Senate Bill 915.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDENT PHILIP:

Senator Shadid.

SENATOR SHADID:

Thank you, Mr. President and fellow Members of the Senate. Senate Bill 915 amends the downstate Park District Code. It -- it will permit any park district that owns and holds real estate to give, sell, or lease that property to the State of Illinois, with the State's consent, for public use. I would appreciate a favorable vote.

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PRESIDENT PHILIP:

Any further discussion? Any further discussion? If not, Senator Shadid, to close.

SENATOR SHADID:

I'd just like to have a favorable vote. Thank you.

PRESIDENT PHILIP:

The question is, shall Senate Bill 915 pass. All those in favor, signify by voting Aye. Those opposed, Nay. The voting is open. Have you all voted your wish? Have you all voted your wish? Take the record. On the question, there are 56 Ayes, no Nays, no voting Present. Senate Bill 915, having received the required constitutional majority, is declared passed. Now, on the -- top of page 9. Senate Bill 941. Senator Robert Madigan. Senator Robert -- take it out of the record. Senate Bill 989. Senator O'Malley. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

Senate Bill 898 {sic} (989).

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDENT PHILIP:

Senator O'Malley.

SENATOR O'MALLEY:

Thank you, Mr. President. It is Senate Bill 989 and -- that's before us, and it amends the Intergovernmental Cooperation Act. Mayor Arnie Andrews of the Village of Alsip brought to my attention that in his capacity as a member of the board of the Illinois Public Risk Fund, that there were certain kinds of pool -- pool participants that were not being approved by the Department of Insurance. In investigating it further, we found out that the reason for that was that there was no statutory authority for them to do so. So that everybody in the Senate understands what's happening with this legislation, what we're

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basically saying is that for purposes of the section of the Act that's relevant, "public agency member" means and includes every form of public entity defined or created in the Act and that -- that now exists or is subsequently created, whether or not specified. Be happy to answer any questions there may be.

PRESIDENT PHILIP:

Further discussion? Further discussion? If not, Senator O'Malley, to close.

SENATOR O'MALLEY:

Would appreciate your support.

PRESIDENT PHILIP:

The question is, shall Senate Bill 989 pass. All those in favor will vote Aye. Those opposed, Nay. The voting is open. Have you all voted who wish? Have you all voted who wish? Take the record. On the question, there are 55 Ayes, no Nays, no voting Present. Senate Bill 989, having received the required constitutional majority, is declared passed. Senate Bill 1113. Senator Roskam. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

Senate Bill 1113.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDENT PHILIP:

Senator Roskam. I think the board is correct now.

SENATOR ROSKAM:

One Adam-12. Okay.

PRESIDENT PHILIP:

Senator Roskam.

SENATOR ROSKAM:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 1113 is an initiative of the DuPage County Sheriff. It's a simple matter. It simply allows folks who are participants

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in the graduate law enforcement intern program to be exempt under the Merit Commission. I'd be happy to answer any questions. Passed unanimously out of committee.

PRESIDENT PHILIP:

Further discussion? Further discussion? If not, Senator Roskam, to close.

SENATOR ROSKAM:

Please vote Aye. Thank you.

PRESIDENT PHILIP:

All right. The question is, shall Senate Bill 1113 pass. All those in favor, signify by -- by voting Aye. Those opposed, Nay. The voting is open. Have you all voted your wish? Have you all voted -- take the record. On the question, 56 Ayes, no Nays, no voting Present. Senate Bill 1113, having received the required constitutional majority, is declared passed. Senate Bill 1329. Senator Lightford. Read the bill, Madam Secretary. Well, we seem to have the -- the spooks are about us today. We've got a little problem with the board, it would appear. Whoop! There we go. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

Senate Bill 1329.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDENT PHILIP:

Senator Lightford.

SENATOR LIGHTFORD:

Thank you, Mr. President, Members of the Senate. Senate Bill 1329 prohibits any emergency medical services personnel, patient, or person accompanying a patient in a emergency vehicle from smoking in the vehicle. It permits the Department of Public Health to levy a fine of one hundred dollars against the individual who violates this Act. This is the same bill that

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passed the Senate unanimously last Session, but it was held up in the House committee deadline. Any questions, I'll be happy to answer.

PRESIDENT PHILIP:

Further discussion? Further discussion? If not, Senator Lightford, to close.

SENATOR LIGHTFORD:

I appreciate your favorable roll call.

PRESIDENT PHILIP:

All right. The question is, shall Senate Bill 1329 pass. All those in favor will vote Aye. Those opposed, Nay. The voting is open. Have you all voted who wish? Have you all voted who wish? Take the record. On the question, there are 55 Ayes, no Nays, no voting Present. Senate Bill 1329, having received the required constitutional majority, is declared passed. Senate Bill 1505. Senator Robert Madigan. Senator -- take it out of the record. Senate Bill 1506. Senator Rauschenberger. Senator Rauschenberger. Senator Rauschenberger. Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

Senate Bill 1506.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDENT PHILIP:

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 1506 is kind of a simple bill requested by the Metropolitan Water Reclamation District and clarifies that if a municipality within Cook County annexes territory after the effective date of this Act, the municipality is responsible for the operation and maintenance of any existing sanitary sewer

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system serving the annexed territory, unless they enter into an agreement in jurisdiction with the Metropolitan Water Reclamation District. This kind of prevents in an annexation, in Cook County only, from having an orphaned sanitary sewer system, where a municipality does an annexation but does not work out an agreement with the Metropolitan Water Reclamation District. I would appreciate a favorable roll call.

PRESIDENT PHILIP:

Further discussion? Further discussion? If not, Senator Rauschenberger, to close. The question is, shall Senate Bill 1506 pass. All those in favor will vote Aye. Those opposed, Nay. The voting is open. Have you all voted who wish? Have you all voted who wish? Take the record. On the question, there are 48 Ayes, 5 Nays, none voting Present. Senate Bill 1506, having received the required constitutional majority, is declared passed. On the bottom of page 10, Secretary's Desk, Resolutions. Guess we have some technical problems, but I wish everybody would just wait. We should have it fixed here shortly. We only have one resolution. All right. The bottom of page 10. Senate Resolution 41. Senator Klemm. Mr. {sic} Secretary, read the resolution.

ACTING SECRETARY HAWKER:

Senate Resolution 41, offered by Senator Klemm.
The Committee on Executive -- pardon me. No committee or Floor amendments reported.

PRESIDENT PHILIP:

Senator Klemm.

SENATOR KLEMM:

Well, in the last few years, the Senate Executive Committee and some Members of the Senate have expressed concerns about the procedure that we use for quick-take on the eminent domain question. So what we did is present to the Senate Executive Committee a resolution outlining some of the guidelines that we

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thought would be -- proper to use that we would use for the quick-take question. During the last three years, we found we had seventy-nine requests for quick-take. I think everybody knows what quick-take means on eminent domain. It means before the -- the judgment is granted for compensation, that the property is being taken and being used by government -- a local -- a local government entity for their purpose. Now, we found that in of those seventy-nine, there are a number of different questions that arose. Many of them and most of 'em probably were for public purposes, but so many of 'em were not. It was taking private lands and private property and giving it to another private developer or another private user. It was kind of interesting 'cause when we did some research, we looked at what the various courts said. And we found that the Supreme Court had said it is essential, to exercise the power of eminent domain, that the property be taken for a public and not a private use and any legislation that attempts to grant that right, to take private property for private use, is void. The Second Appellate Court said taking must be for a public and not a private use. I have three other decisions of the Illinois Supreme Court saying that it should be for public use when you use the quick-take provision. Well, what we're doing in Senate Resolution 41 is states a procedure, that we in the Senate expect the requests that come in to follow a certain procedure. Let me give you an example. We had one that was for a municipality, and when we had staff check over what the description was, we found out that it almost encompassed almost ninety percent of the entire city limits that they wanted quick-take over. Well, obviously, that had to be changed. But when we did research on it, we found that was a problem. We had one recently that's there that I have two thousand signatures against taking a private restaurant to give it to another developer. Two thousand people said that's -- we don't

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even know about it and it's terrible, you got to do something about it. So what we've done is on -- Senate Resolution 41 establishes a few guidelines. You have to at least notify the owner of the intent. You have to publish the intent in a newspaper. You have to hold public hearings about it. Have to adopt a resolution requesting the General Assembly that it's for public purpose and that it's going to be used and that it's been adopted by the council and that they, in turn, support it. Just doesn't come from a councilman or a mayor. Have to submit some of the signed affidavits describing the property and where it's at, giving us this full information so that we in the Senate Executive Committee and you in the Senate can intelligently decide which ones are appropriate. We think it meets all the requirements and I do ask for your support. If this works pretty well, we hope to have some legislation that codifies the approach that we would use in the General Assembly for quick-take. So I do ask for your support and answer any questions...

PRESIDENT PHILIP:

Further discussion? Further discussion? Senator Jacobs.

SENATOR JACOBS:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Just a question of the sponsor, if he'll yield.

PRESIDENT PHILIP:

He indicates he'll yield. Senator Jacobs.

SENATOR JACOBS:

I don't have a copy of the -- the resolution here, Senator, but listening to your comments, it makes it sound as if a municipality wants to use quick-take for the purposes -- for the right purposes. And I understand where you're coming from with your resolution. Would they have to then come back to this General Assembly to get that permission?

PRESIDENT PHILIP:

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Senator Klemm.

SENATOR KLEMM:

Current law now; they have to do that. It doesn't change that.

PRESIDENT PHILIP:

Senator Jacobs.

SENATOR JACOBS:

I didn't -- I didn't really hear your answer. I'm sorry.

PRESIDENT PHILIP:

Senator Klemm.

SENATOR KLEMM:

It is current law now that they have to come to the General Assembly, and we do not change that.

PRESIDENT PHILIP:

Senator Jacobs.

SENATOR JACOBS:

I -- I could stand corrected on this, but I'm not sure if that's true in all cases. I know if you're talking about mass -- you know, mass grab, that's another story, but on individual eminent domain issues, it does change a little bit.

PRESIDENT PHILIP:

Senator Klemm.

SENATOR KLEMM:

Well, this is only for quick-take. It does not change eminent domain powers that the municipalities have.

PRESIDENT PHILIP:

Senator Jacobs. All right. Further discussion? If not, Senator Klemm, to close.

SENATOR KLEMM:

I just ask for your support. I think it's an important issue. Thank you.

PRESIDENT PHILIP:

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Senator Klemm moves the adoption of Resolution -- Senate Resolution 41. All those in favor will vote Aye. Those opposed, Nay. The voting is open. Have you all voted who wish? Have you all voted who wish? Take the record. There are 54 Yeses, no Nays, none voting -- 1 voting Present. The resolution is adopted. Now we will proceed to the Order of Resolution Consent Calendar. With the leave of the Body, all of those read in today will be added to the Consent Calendar. Mr. Secretary, have there been any objections filed to any of the resolutions on the Consent Calendar?

SECRETARY HARRY:

No objections have been filed, Mr. President.

PRESIDENT PHILIP:

Any -- any discussions? If not, the question is, shall the resolutions on the Consent Calendar be adopted. All those in favor, signify by saying Aye. Those opposed, Nay. The Ayes have it. The motion carries. The resolutions are adopted. Resolutions.

SECRETARY HARRY:

Senate Joint Resolution 16, offered by Senator Weaver.

(Secretary reads SJR No. 16)

PRESIDENT PHILIP:

Senator Weaver moves to suspend the rules for the purpose of immediate consideration and adoption of Senate Joint Resolution 16. All those in favor, signify by saying Aye. Those opposed, Nay. The Ayes have it. The rules are suspended. Senator Weaver has moved the adoption of Senate Joint Resolution No. 16. Those in favor, signify by saying Aye. Those opposed, Nay. The Ayes have it. The resolution is adopted. Is there any further business to come before the Senate? If not, pursuant to the adjournment resolution, Senator Weaver moves we do now stand adjourned until the hour of noon, Tuesday, March 20th, 2001. Have

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a good week.